

Approved/Amended Minutes
BROOKFIELD PLANNING COMMISSION
THURSDAY, November 15, 2012 7:30 PM
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD

1. **Convene Meeting:** Chairman J. Van Hise convened the meeting at 7:30 p.m. and established a quorum of members: J. Van Hise, Chairman; A. Kerley, Vice Chairman; D. Frankel, Secretary; Regular member P. Conlon, and Alternate L., Taylor. Also present: Town Director of Public Works, R. Tedesco, and Recording Secretary J. Llewellyn.

*L. Taylor was appointed a voting member.

Absent: R. Baiad, Regular Member and N. Tolmoff, Alternate

2. **Review Minutes of Previous Meetings:**

- 11/01/12: **A motion to approve the minutes of 11/1/12 was made by A. Kerley, seconded by P. Conlon, and carried 4-0-1 with J. Van Hise abstaining.**
- 11/02/12 Special Meeting: **A motion to approve the Minutes of 11/2/12 was made by P. Conlon, seconded by A. Kerley and carried unanimously.**

A motion was made by D. Frankel to amend the agenda to go to item 3a./Old Business. Motion seconded by P. Conlon, and carried unanimously.

3. **Old Business:**

a. **101 Obtuse Hill Road #201200961: 6-lot subdivision – “Whispering Glen Section II”**

(Public Hearing scheduled for December 6, 2012 at 7:45 PM.)

P. Young present. Mr. Young worked with the Commission to set a site walk. This was set for Friday, November 23, 2012 at 1:00 p.m.

At this point, the Commission also reviewed:

4. **New Business:**

a. **2013 Land Use Commission Regular Meeting Schedule Draft: A motion to approve the 2013 Planning Commission section of the Land Use schedule and the Planning Commission Cut-off Date 2013 Draft, with the deletion of the 12/19/13 meeting, was made by P. Conlon, seconded by A. Kerley, and carried unanimously.**

- Planning Commission Cut-Off Dates 2013 Draft (included in motion above).

b. **Zoning Commission Proposed Regulation Change#201200975: Section 242-404K(9)(c) – Incentive Housing District: Density Requirements & Section 242-505D(2) – Town Center District: Permitted Uses**

- Memo from Zoning Commission to Planning Commission dated 11/08/12 & Application for Regulation Change

The Commission reviewed the proposed regulation change and made the following motion:

A. Kerley moved that the Planning Commission send a memo to the Zoning Commission stating that the Planning Commission has no objection to the proposed regulation change for Section 242-404K(9)(c) -Incentive Housing District. P. Conlon seconded the motion which carried unanimously.

PUBLIC HEARING 7:45 PM -

a. **44 & 52 Obtuse Road South #201200890: Re-subdivision – Ferry Farm Estates** (PH close date 12/20/12)

Chairman Van Hise opened the hearing at 7:45 p.m. and Secretary D. Frankel read the legal notice. Chairman Van Hise outlined the format of the hearing.

Present for the applicant was Ms. Blevins for Ferry Trust. Ms. Blevins noted that the plans have been modified to reflect her preference for a conservation easement. Because of this change, she did not do the proper notification of abutting property owners. All else would be the same, she contended, except instead of open space, she'd prefer that land be a conservation easement. She consulted with her engineer who modified the plans. Chairman Van Hise did not believe open space could also be a conservation easement. Ms. Blevins contended this was wetlands anyway and could not be built upon. She also expressed dismay at the application process, but the Chairman said the usual protocols were for an applicant to confer with a land use attorney, and/or have his/her engineer present at the hearing. Ms. Blevins said she is seeking the simplest, legal way to subdivide and sell the property.

Chairman Van Hise noted an item of correspondence from Town Attorney Marcus, asking if a deed for the conservation easement have been recorded. The deeds indicate a property in the size of approximately 26 acres. The Conservation Commission and Open Space Legacy also wrote they would favor preservation of open space.

Chairman Van Hise said he'd like clarification on the matter of changing the open space to a conservation easement. He also noted the late arrival of materials (revised plans were ready for submission tonight).

No neighbor notifications were sent of this public hearing since Ms. Blevins said she was not given direction on what to do, so she asked for another public hearing. (She said she was unaware tonight's public hearing was taking place.)

A Conservation Easement is what they want, she stated, and Chairman Van Hise encouraged her to ask Attorney Peter Scalzo for his opinion on the matter of open space or a conservation easement.

Commissioner Frankel encouraged Ms. Blevins to decide definitively what she wants to do and stick with it.

Chairman Van Hise noted that since the applicant did not provide the proper documentation, the public hearing was declared null and void. The applicant was advised to return to the next meeting to reapply.

PUBLIC HEARING 8:15 PM -

a. **20 Vale Road #201200913: Proposed two-lot subdivision – Berkshire Corporate Park** (PH close date 12/20/12)

Chairman Van Hise called the hearing to order and Commissioner Frankel read the legal notice for the record.

Present was applicant G. Steiner, Attorney T. Beecher, and Engineer S. Sullivan, P.E., Carrocio-Covill & Associates.

Mr. Steiner outlined this proposal for a two-lot subdivision in the Brookfield section of Berkshire Corporate Park, which also reaches into Danbury and Bethel. This proposal is for an 8.7 acre parcel (Parcel 1), which will be shielded from the residential property nearby.

Mr. Sullivan detailed plans for the proposed 30,000 square foot building and associated required parking. There are no wetlands on site, and the applicant is presently before that Commission. The property will be served by Aquarion Water Company, and will utilize the Town of Brookfield municipal sewer. There will be two driveways from Park Ridge Road. A detention basin exists to the north, and this will be enhanced with upgraded waste water treatment technology. A State Traffic Certificate is on file for 2,000,000 square feet of building, and at the present time, there is about 1,000,000 square feet developed. The road meets Town road specifications. The only bond estimate is for pins and monuments.

Chairman Van Hise did note the presence of a large rock on the site which may obstruct sight line. He asked that the developer take care to remove it.

Public questions and comments included one from William Sachet, 8 Vale Road, who asked if there was going to be any new roads. There would be none: only existing roads. Engineer R. Tedesco had no problem with the bond estimate.

There were no public comments in favor of, or in opposition to, the application.

P. Conlon is doing the checklist, and while he is not done with the full review, he believes the hearing could be closed tonight.

A motion was made by P. Conlon to close the public hearing for Application #201200913: Proposed two-lot subdivision - Berkshire Corporate Park.

A. Kerley seconded the motion which carried unanimously.

A motion was made by P. Conlon to amend the agenda to go to item

6./Correspondence. D. Frankel seconded the motion which carried unanimously.

6. Correspondence:

a. Town of Brookfield, CT 20 Year Sanitary Sewer Flow Protection for the Brookfield Water Pollution Control Authority prepared by Birdsall Services Group dated June 2012

N. Malwitz, Chairman, WPCA, present. Mr. Malwitz stated that this report was submitted for informational purposes with a big picture in mind, taking into consideration population growth patterns in town.

In 1992, the Town contracted with Danbury for 500,000 gallons per day.

Usage has actually leveled out below that amount, which is perhaps a sign of the economic times. The report also takes an exhaustive list of the properties on the sewer system, and those which could potentially be on the sewer system, and also areas of "septic stress" in town, including Dean Road and Candlewood Shores.

This report also included usage projections, and the WPCA decided it will contract with Danbury for another five years, and will evaluate the Town's usage every five years. The Commission expressed appreciation for this report, adding that it will be beneficial information for the Town's Plan of Conservation and Development.

5. **Minutes of Other Boards & Commissions:** No comments from the Commission.

- **10/25/12 special;**
- **10/25/12 Zoning;**
- **11/05/12 Zoning Board of Appeals**

7. **Informal Discussion:** There was none at this meeting.

8. **Tabled Items:** There were none at this meeting.

9. **Adjourn:** A motion was made by **A. Kerley** to adjourn the meeting at **9:10 p.m.** Motion seconded by **P. Conlon** and carried unanimously.

J. Van Hise, Chairman